

May 17 2010

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

## IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 10-0092

FILED

IN THE MATTER OF,  
T.H.,

MAY 17 2010

A Youth in Need of Care

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA**MOTION FOR EXTENSION OF TIME  
AND AFFIDAVIT IN SUPPORT**

COMES NOW, Elizabeth Thomas, counsel of record for Defendant and Appellant Mother, and respectfully requests an extension of time until June 10, 2010, in which to prepare, file, and serve the Appellant Mother's reply brief in the above-entitled matter. In support of this motion, undersigned counsel respectfully submits the following affidavit.

Respectfully submitted this 14<sup>th</sup> day of May, 2010.

Elizabeth Thomas  
Elizabeth Cunningham Thomas, PLLC  
P.O. Box 8946  
Missoula, MT 59807


By   
ELIZABETH THOMAS

STATE OF MONTANA            )  
  : ss.  
County of Missoula            )

I, Elizabeth Thomas, being first duly sworn upon my oath, depose and state as follows:

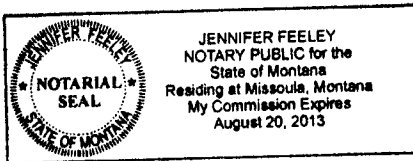
1. I am a licensed, practicing attorney in the State of Montana, and currently contract through the Office of State Public Defender, Appellate Defender Office.
2. In my capacity as contract worker for the Appellate Defender Office, I have been assigned to handle the above-entitled matter.
3. The Appellant Mother's reply brief was first due on May 27, 2010.
4. As shown below, I have exercised diligence and have substantial need for the extension.
5. An extension of time is necessary as I have a multi-day termination hearing in the Fourth Judicial District and an opening brief due in another appellate case the week of May 17, 2010.
6. I will work diligently to complete the matter in the time requested.
7. Opposing counsel has been contacted concerning this motion and does not object.

8. Further your affiant sayeth naught.

  
Elizabeth Thomas

SUBSCRIBED AND SWORN to before me this 14<sup>th</sup> day of

May, 2010.





**CERTIFICATE OF SERVICE**

I hereby certify that I caused a true and accurate copy of the foregoing  
Motion for Extension of Time and Affidavit in Support to be mailed to:

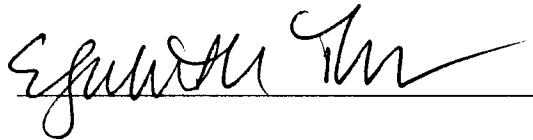
STEVE BULLOCK  
Montana Attorney General  
MARDELL PLOYHAR  
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215 North Sanders  
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BRETT D. LINNEWEBER  
Park County Attorney  
414 E. Callender  
Livingston, MT 59047

VUKO VOYICH  
P.O. Box 1409  
Livingston, MT 59047

Copy to AG (Mother)

DATED: 5/14/2010

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